

IN THE UNITED STATES OF AMERICA  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA

v.

DONALD RAY MORGAN  
A/K/A ASADALLAH BIN MORGAN  
AL-MUJAHID

1:14CR194-1

1:14CR414-1

LETTER MOTION AND APPEAL FOR CONSIDERATION  
OF SENTENCE REDUCTION AND AMENDMENT

Comes now the Defendant, Donald Ray Morgan aka Asadallah bin Morgan Al-mujahid, and I make the following appeal to Judge T.D. Schoeder to consider a sentence reduction or modification.

I accepted responsibility for my words and actions during my proceedings, and I do so on this day. However, then and now, has my issue been about the severity of punishment in light of other offenders who had tangible harms, victims, loss of life, property etc. My lawyer, Andy McCoppin, asked his honor to consider a sentence of 10 years, but that was doubled. I believed then and more so today that international media hype and constant news cycle coverage regarding events in Syria and Iraq conflated all persons into one mould. There is a correlation between the diminishing news & media hype over terror related arrests and reduction in average sentences handed down by Federal Courts around the nation. Part of my sentence was involving a 922g, which the only criminal element was my ignorance that in N.C. I could not sell a legal rifle to a legal purchaser at my legal business. So, Lord willing, your honor will spare his time, consideration and compassion to my plea.

Judge Schoeder:

My mother has passed away after years of battling cancer and other serious ailments on 11 July 22. Despite my family's request to the ADX to inform me, I only learned of her death when I attempted to call her on 2 Aug 22. My stepfather surprised I was looking for my momma had to tell me the reality of her passing. I was sad learning that I lost my momma, but I also had years of preparing my heart that day was coming. However, I was hurt, punished if you will, that over 8 years has passed in which I never saw her face to face, kissed her, hugged her or cared and helped her. The reality is that this burden of guilt and remorse that will last the rest of my life is more harsh and punitive than 10 more years of solitary confinement. This is combined with another reality and punishment which is losing the most important years raising my son, who has been effected by my incarceration more than I know.

Incarceration is not a punishment solely bore by the incarcerated, but their families and friends are also punished as well. If the government's intention was to punish me for whatever crimes I am accused of committing then I contend whether I spend another 10 years in ADX or one day can't alter the punishment of guilt and remorse of losing my mother. That is a life sentence. The last time with my son and family will have consequences the rest of my life that may never have a "release date".

Judge Schoeder, this is not a letter blaming you or the courts since you, under your laws, accused and convicted me of crimes, but it is simply asking you if the punishment fair, equal or just. Andy McCoppin never attempted to defend me nor assist me after I was sentenced. However, I tried my best to file Compassionate Release citing a chance to care for my momma before she passed. The US Attorney only wished to retry me as a "terrorist" and it was denied.

I dug down into a 2255 based on Rehaif, Gary, Greer, but I was too late following the Supreme Court's opinion which acknowledged my position had merit but the court had their path for denial.



Your honor, my point today is the same as it has been. I have accepted responsibility for my words and actions. The rifle that I sold at my business to a N.C. gun dealer was legal and proper in every aspect except I didn't realize I was breaking my law due to a felony 15 years prior. My crime may have been ignorance or being naïve, but it was not connected to nor in conjunction to criminal activities, violence, stolen property, etc. In reality, that crime had no victim. I am only expanding upon this ser, because you and I both witness daily on the news that real criminals, using stolen guns, committing violent crimes are being released, receiving neither state nor federal 922g charges? how is it possible? My precedence in asking you to show any mercy upon me is the reality of your society today. Thugs and violent offenders walk from crimes and possessing firearms yet I am in ADX for an absolutely legal gun transaction albeit my past felony conviction.

My 2339 b Providing Material Support charge was enhanced to insure a minimum mandatory 15 years, yet again, I have no acts of violence, no victims except those who disliked my words, opinions, expressions. Just as American has endorsed citizens and veterans to go fight as volunteers, mercenaries in Ukraine for "democracy", I felt it my right to defend and fight for my brothers & sisters being killed in Syria and Iraq not for governments or democracies but my Lord and faith. As unpopular and unheard of as it is today your honor, I place God, the most high above all mankind, his laws, his hedonistic desires and his rule. Yet, to be clear the only elements against me is words. While you and I have witnessed over 2 years of rebellion, riots, anti-cop, anti-u.s., anti-govt, anti-God, racist, fascist, socialist, anarchist, BLM, insurrection, and savage criminal conduct go, not only unchecked, but deemed peaceful, justified, encouraged by politicians. So forgive me your Honor, if I feel justified to ask you for an amended sentence and reconsideration, but in light of your current government's position on real gun violations and actual violent criminal actions not mere words, I feel justified.

However, as I explained in the onset of my letter, the greatest punishment I could suffer occurred on 16 July when I lost my

momma. What I am begging from you is do not leave me in here to possibly lose my son too. I've said to you before that I have remorse, regret. Andy McCoppin in his one moment of an attempt to help me, asked your honor to consider a sentence of 10 years for the 2339b and 5 for the 922g concurrent. He tried to support that request due to my age, my history of career, family, good community relations, education, etc.

Judge Schoeder, I come to you today pleading for you to now, in light of all things, to amend my sentence to 10 years. I ask you to weigh sentencing in light of how sentences happened post 2014 when the fever of max sentences, media attention, reckless enhancements were subsiding. I ask you to truly weigh if I acted with criminal intent by simply completing a business transaction on behalf of my stepfather.

When I was in Military academy, US Army, time as a Deputy Sheriff, I was trained and taught to be willing to sacrifice for something greater than myself, to risk my life to help and save others.

Why would anyone think those instincts and training left me because

I was no longer a soldier or a cop? If I would have died in

Desert Storm, I'd been a hero, patriot or if I died protecting the

innocent from criminals, I'd been a fallen hero. My desire to reach

the dangers of the conflict in Syria your honor was motivated by

those same characteristics, training of helping, saving and defending

oppressed and innocent people. The only difference is it was

driven by faith, obedience to God Almighty for my brothers and

sisters in faith not by politics, foreign policy, national interests.

It's been over 8 years now, I have grown, learned and changed.

There are some things I regret, some I could have said or done

differently, but I can only focus on today and do my best towards

tomorrow. I am asking you to give me a chance for tomorrow.

I saying to you, your system that if today, in 2022, real

criminals committing real violent crimes with victims using

stolen guns can be pardoned, forgiven or not even punished

then surely over 8 years and losing my momma never to

see or hold her again is a just punishment for my crimes.

Your Honor, please accept my letter to you and your court

forgiving my format, but to be honest I don't know what

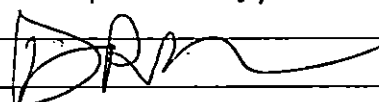
this is, 2241? Besides the electronic law library in the APX

Stays "down" but "they are working on it". In the end Judge Schoeder, I am not asking you for technical or procedural rulings; I am asking you to weigh and measure my request with a heart and humanity. I am asking for fair, equal justice which seems to have abandoned American courtrooms decade ago. Which is why I can't really be upset with Andy McCoppin, because he wasn't ever really suppose to defend or help me even if he wanted to, because at that time in 2014, I was a monster and the face of evil. As I told him, I'd understand if you didn't want to represent me, I can't be good for your career to win.

Your honor, maybe you will consider my plea or not, but I know this for sure, you're a son of a mother. If she is not with you today, I bet you love her, miss her and will never forget her. I can't think of anything more punishment than that.

I thank you for your time to read my letter, consider giving any relief to me to start a new, to raise my son and continue to grow and improve my life.

Respectfully,



aka Asadallah bin Morgan Al-Mujahid

Donald Ray Morgan 80886053

8 Aug 2022

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I'd like to request again to receive my case discovery, which I must have to adequately prepare potential future motions.